

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document has been entered electronically in the record of the United States Bankruptcy Court for the Northern District of Ohio.



Dated: June 25 2010

A blue ink signature of "Mary Ann Whipple".

Mary Ann Whipple  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

In Re:	)	Case No. 10-33890
	)	
Samantha Lynn Smith and	)	Chapter 7
Michael Aaron Smith,	)	
	)	
Debtors.	)	JUDGE MARY ANN WHIPPLE

**HEARING ORDER**

This case came before the court for hearing on the court's Order to Show Cause [Doc. # 10] why Debtor Michael Smith's case should not be dismissed because he is ineligible to be a debtor under 11 U.S.C. § 109(h). Pamela Theodotou, Debtors' attorney, appeared at the hearing in person and represented to the court that Debtor Michael Smith did, in fact, receive the credit counseling required by § 109(h) in a timely manner, contrary to the statement on the Certificate of Credit Counseling filed on his behalf in this case. An evidentiary hearing will, therefore, be necessary to determine Debtor Michael Smith's eligibility under § 109(h). The hearing is being set to coincide with the scheduling of the meeting of creditors in this case.

**THEREFORE**, good cause appearing,

**IT IS ORDERED** that an Evidentiary Hearing at which Debtor Michael Smith and Counsel for Debtors shall appear in person is scheduled for **Monday, August 2, 2010, at 1:00 p.m.**, in Courtroom No. 2, Room 103, United States Courthouse, 1716 Spielbusch Avenue, Toledo, Ohio.

# CERTIFICATE OF NOTICE

District/off: 0647-3  
Case: 10-33890

User: mknei  
Form ID: pdf755

Page 1 of 1  
Total Noticed: 2

Date Rcvd: Jun 25, 2010

The following entities were noticed by first class mail on Jun 27, 2010.  
db +Michael Aaron Smith, 910 Heather View, Findlay, OH 45840-2919  
db +Samantha Lynn Smith, 901 Heather View, Findlay, OH 45840-2918

The following entities were noticed by electronic transmission.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*  
NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 27, 2010

Signature:

